

**UNITED STATES DISTRICT COURT**

MIDDLE DISTRICT OF ALABAMA

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November 19, 2007

**NOTICE OF CORRECTION**

**From: Clerk's Office**

**Case Style: Lowery v. State Farm Fire & Casualty Company et al**

**Case Number: 3:07cv00954-MEF**

**This Notice of Correction was filed in the referenced case this date to attach the correct PDF document previously attached.**

**The correct PDF document is attached to this notice for your review. Reference is made to document # 16 filed on November 16, 2007.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

DAVID LOWERY, )  
vs. )  
Plaintiff, )  
vs. )  
STATE FARM FIRE AND )  
CASUALTY COMPANY, et al., )  
Defendants. )  
CIVIL ACTION NUMBER  
3:07-cv-00954-MEF-CSC

**PLAINTIFF'S SUPPLEMENTAL FILING IN SUPPORT OF  
PLAINTIFF'S MOTION TO REMAND**

Comes now David Lowery and hereby provides supplemental evidence in support of his motion to remand as follows:

1. On or about November 6, 2007, plaintiff filed a motion to remand in this matter.
2. The undersigned filed similar motions to remand in the cases *Wyatt Finch v. State Farm Fire and Casualty Company, et al.* and *Annie Hawkins v. State Farm Fire and Casualty Company, et al.* Those cases are identical to the case at bar. Honorable Myron Thompson granted the undersigned's motions in these cases on November 16, 2007. The Court specifically found that there was no

fraudulent joinder and have remanded these cases to Circuit Court. Copies of these orders are attached hereto as Exhibits A and B, respectively.

Respectfully submitted,

**s/ David J. Hodge**  
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Of Counsel for Plaintiff  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on **16<sup>th</sup>** day of **November, 2007**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

**s/ David J. Hodge**  
Of Counsel